

MRS. FORSYTHE THE HITS SCHOOL HEADS HARD

Rises From Sickbed to Go to Luncheon and Reply to Persistent Critics.

DEMANDS AN INQUIRY

Perhaps Foes Prefer Thin Blond Type Is One Shaft That Wins Applause.

DEFENDS HER CHARACTER

When Elected Some Woman Had Said Protestant, Not Catholic, Was Wanted.

Mrs. Grace Strachan Forsythe used a breakfast in her honor yesterday as the occasion to hit back at City Superintendent William L. Ettinger and others in the school system who criticized her work during the campaign preceding her recent election as Associate Superintendent of Schools.

She demanded an "open investigation" of the charges and a comparison of her own work with that of principals, superintendents and examiners in the system. She blamed the Ettinger attack for the continuation of the illness that has been keeping her in her rooms at the Commodore Hotel and in returning the fire of critics who pointed out her lack of college education said that "degrees do not make greatness."

The breakfast, which was served at the Commodore, lasted more than four hours. It was preceded by a reception and followed by many speeches laudatory of Mrs. Forsythe's work. Mrs. Forsythe left her apartment against the orders of her physicians, and it was with some difficulty that she managed to get on her feet to deliver her counter attack at Dr. Ettinger and the others.

Warns Hearers of Reprisals.
Dr. Royal S. Copeland, Commissioner of Health, one of the speakers, said that the injury of the back which Mrs. Forsythe suffered should have sent her to bed three months ago and that despite her protests she wasn't in a condition to be at the breakfast.

In beginning her address Mrs. Forsythe reminded her hearers that they may be "marked" persons by reason of their attendance at the function, and she then declared that already her own per-

sonal and private character had been besmirched.

"I have been a candidate for promotion to associate superintendent since 1907 or 1908; in fact, every time there has been a vacancy," she said. "It was a surprise to me that the City Superintendent made his recent attack, which besmirches my character in public, private and professional life. Possibly I would be better to-day if it were not for this attack. I want an open investigation of my work, and if it is found that my work is not equal to that of the other superintendents then the only thing to do is either to put me out of the position I now fill or to clear the way for a replacement. The work of all district superintendents since July, 1900, should be compared."

"They say I did not visit the schools. I visited them many times, but when I did I did not write my name in the visitors' book. My talks with the teachers seemed to make that formality unnecessary. Ever since the Board of Education decided against granting the investigation I asked for one teacher that I know of has been sent for and questioned in an effort to find something to besmirch my character. Commissioner Copeland told me two weeks ago, when he saw the X-ray pictures of my back, that I should have been in bed a long time ago.

"Another charge that has been brought against my election is that a woman of my type does not lend dignity to the Board of Superintendents. Perhaps they prefer a thin, blond type. I want to know what was back of that statement, and I think I am entitled to know." Here the audience burst into applause.

"Therefore, that means an open investigation of all the superintendents since I was made a superintendent, and a comparison of my work with that of all the other members of the board. My books were sent for, and I want every member of the board to be treated likewise."

Religion Enters Controversy.
"Still another charge made against me is that I am a Catholic. I am a Catholic. When the New York City Federation of Women's Clubs held its convention this month—and I will remind you that the Interborough Teachers' Association, of which I am president, is one of the federated clubs and the federation had passed a resolution approving the election of a woman as associate superintendent some one tried to present a resolution expressing satisfaction at my election. The resolution met with indifferent support from many quarters and I overheard one woman say, 'Oh, but we wanted a Protestant!'"

"Another charge brought against me is that I am not a college graduate. I have no letters after my name. It's rather a long name without that. I must acknowledge that there have been many fine people who haven't held degrees. There's Al Smith, he hasn't any degree. Lincoln didn't have a degree, Napoleon didn't have a degree, and I don't believe George Washington had a degree. I'm not putting myself in their class but I want to prove to you that degrees do not make greatness."

"I have thousands of hours of post graduate work to my credit, but it didn't seem important that I should ask what these amounted to. I have traveled in every State but three, have been to Panama and to Europe three times. I don't know but that's better than running up to Columbia University on a warm day and listening to some one talk to whom you could tell things."

"I am telling you all these things because some of you have had courage to come here to-day in the face of the antagonism on the part of some superintendents. Maybe you will be marked. That's why we didn't call on any one

NEIGHBOR ON MURRAY HILL SUES TO HUSH VOCAL STUDIO

Covenant of 1847 Evoked by John M. Tonnelle, Who Says Miss Helen Augusta Hayes's Pupils Wrack His Nerves and Disturb His Peace.

A covenant entered into by residents of the Murray Hill section in 1847, restricting their neighborhood to private dwellings, is in court again in a suit filed in the Supreme Court yesterday.

John M. Tonnelle of 115 East Thirty-fifth street, asked that Miss Helen Augusta Hayes be enjoined from conducting a vocal studio next door on the west. The house is divided from his by an ordinary party wall.

Mr. Tonnelle asserted that Miss Hayes is conducting a business in violation of the restrictive covenant, which has been the basis of many lawsuits in the last seventy-five years. He set forth that the peace of his home has been destroyed and that he can neither read nor think. Miss Hayes opposed his suit on the ground that she is a practitioner of the arts, and so does not come within the contemplation of the covenant against business.

Miss Hayes is said to conduct singing lessons continuously on every day between 9:30 and 5:30 in a room on the same floor level as Mr. Tonnelle's living room.

"The noise," he stated, "may be described generally as an interminable series of scales and exercises sung during a large part of the time in the loudest tones of which her pupils are capable. Its intensity is such as to in-

terrupt any conversation I may attempt. It is impossible for me to talk over my telephone, the racket is getting on the nerves of my servants so that they discharge their duties with difficulty, and I cannot fix my mind on anything."

"The prolonged repetition of the notes and the shrill strained and piercing tones of the voices exhaust my head and nerves. The intensity of the noise is more prolonged in the late afternoon, apparently because pupils in the more advanced stages of instruction are being instructed then."

A supporting affidavit of Mrs. Tonnelle said:

"The noise is worst when pupils try to reach notes which seem to be beyond the range of their voices. The same exercises are repeated from twenty to forty times. At times the sounds can only be described as screaming and screeching. They ring in my head when the lessons are over and continue far into the night."

Dr. Walter E. Lambert, who lives across the street and has heard the singing lessons, asserted in an affidavit, that he deems them injurious to the health of persons who must live beside them. He had the same sort of trouble himself last year, he adds, but not because of the pupils of Miss Hayes. His trouble was from lessons on the organ in the Church of the New Jerusalem next to where he lives.

In the system. There were only two here and they are not now on the school system."

Commissioner Copeland, who was toastmaster, made much of Mrs. Forsythe's determination to attend the dinner and answer the criticism that has been aimed at her. "She should have given in long ago instead of struggling along, as she insists on doing," he said. "She has sacrificed her health and well-being to serve her profession."

The Commissioner said he was in favor of higher salaries for teachers and pensions that would make them comfortable.

"Teachers can't teach year after year and not recuperate," he added. "They ought to have one year in seven off."

On the day from which Mrs. Forsythe spoke were men and women of prominence, but none directly connected with the Board of Education. There were two former members of the system present, however. Those on the dais were Miss Elisabeth Marbury, Mrs. George H. Childs, Magistrate Jean Norris, District Attorney Jacob Banton, Police Commissioner Enright, the Rev. James F. Kennedy of St. John's College, Brooklyn; Mrs. Robert S. Neely, Rabbi Alexander Lyons, Joseph G. Furey, Charles P. Donohue, Martin McCue and Ernest J. Crandall, Dr. Rosalie S. Morton, Princess Chingulla, daughter of the Cheyenne chief Lone Star and Okenonton, a full blooded Mohawk.

MARKET BILL SIGNED.
WASHINGTON, Feb. 18.—The Capper-Volstead cooperative marketing bill, which legalizes cooperative associations of farmers and producers for marketing purposes and exempts them from the Sherman anti-trust law, was signed today by President Harding.

SOUTH WIND FORCES JACK FROST FROM CITY

May Be Colder To-night, but No More Zero Soon.

A wind from the south yesterday broke New York's most serious cold snap of the present winter. It was quite cold during the night, but from 8 o'clock yesterday morning, when the thermometer stood at 19, the mercury kept jumping several degrees an hour until at 3 in the afternoon it went over the top of the freezing mark and stood at 33.

There may be a drop in the temperature this evening after a day in which the city's layer of snow and ice will be thinned a bit, but it will not be anything like the below zero weather which hit the city so severely.

"MASH" NOTES BASIS OF PLEA.

Juror Said to Have Sent Them to Girl Witness in Damage Suit.

SPOKANE, Feb. 18.—"Mash notes" declared to have been written to an 18-year-old girl witness for the defense by the foreman of a Superior Court jury which returned a verdict for the defendant last December in damage suits brought against the Great Northern Railroad are set forth in a petition for a new trial filed on behalf of the plaintiff in the Superior Court here.

The suits grew out of the destruction by fire last summer of almost the entire town of Milan, Wash.

STILLMAN EVIDENCE TO KING'S COUNSEL

He Is Named Special Commissioner in Hearings in Montreal.

NO PROTEST OFFERED

Justice Morschauser Delays Decision as to Extra Allowance.

Special Dispatch to THE NEW YORK HERALD. PUGHKEEPSIE, Feb. 18.—Eugene H. Godin, King's Counsel of Montreal, was appointed a special commissioner to-day by Supreme Court Justice Morschauser to take testimony in the James A. Stillman divorce suit in Montreal beginning March 13. The Justice granted the commission when no opposition other than an affidavit of Cornelius J. Sullivan, chief counsel for the banker, was submitted and John E. Mack, guardian for baby Guy Stillman announced that the Canadian testimony was as necessary to the defense of Baby Guy as it was to that of Mrs. Anne Urquhart Potter Stillman.

A stiff contest of the application had been expected because of previous declarations made by the banker's lawyers, but when the application for the commission actually was called for argument Gerard Donovan, the only legal representative of Mr. Stillman in court, merely laid the affidavit on the table. He announced Mr. Stillman did not oppose the application other than in the points raised in Mr. Sullivan's affidavit, which, in brief, were that a commission would not be necessary if Mrs. Stillman and Fred K. Beauvais, the former guide named correspondent in the suit, would take the stand and deny the banker's allegations. No reference whatsoever was made by Mr. Sullivan to the charge of John F. Brennan of Yonkers, chief counsel for Mrs. Stillman, that attempts had been made by "agents of James A. Stillman" to suborn witnesses in the Canadian North Woods.

Mr. Mack was in ill health when the application was made by Mr. Brennan several weeks ago. His announcement that he joined with Mr. Brennan in the move because he deemed the testimony to be adduced in Montreal of the utmost importance to the defense of Baby Guy evoked from Justice Morschauser the following declaration:

"This infant has got to have this proof regardless of what the defendant wants. I grant the application for the commission but will hold the motion for additional expenses in abeyance."

Mr. Donovan urged that Justice Morschauser read Mr. Sullivan's affidavit, whereupon the jurist hotly retorted that he had done so. Mr. Brennan and Mr. Mack asked that the earliest date possible be set and Mr. Donovan was asked if March 13 would be agreeable, but the lawyer said he could not consent to the fixing of a date.

"But you consented before," the jurist said, referring to proceedings last November when the commission originally was appointed.

"But we do not do that now," Mr. Donovan replied.

This remark was interpreted as meaning an appeal would be taken by the

banker's lawyers despite their declining to oppose the application. It is understood they will wait, however, until Justice Morschauser has rendered his decision on Mrs. Stillman's application for the \$8,500 additional expenses. If Mrs. Stillman is turned down by the jurist, which will mean she will have to defray the expenses of the Canadian commission out of her \$7,500 a month alimony, it is thought the appeal will be abandoned. It has been the stand of Mr. Stillman's lawyers right along that they would go to Canada if need be, but they refused to "pay the freight" of the expedition.

"We want a speedy determination of this case," Mr. Mack said, asking that March 13 be set as the date of the first hearing in Montreal. "We want to go to Canada and get through with the work. We will have to go soon in order to get our witnesses down to Montreal, because they must travel over the ice of the St. Maurice River, and the ice begins to break late in March."

"I think so myself," Justice Morschauser added. "There is no reason why there should be a further delay. There must be a finality. If I make no allowance on the second motion, Mr. Brennan, there will be no stay. There must be an end to this case."

If Mr. Stillman's lawyers should appeal the matter cannot be brought before the Appellate Division before March 6, when it next will sit.

Mr. Godin was appointed commissioner by Justice Morschauser when the application was made last November, but his commission expired because of a stay of proceedings.



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FAILURE TO REPLY COSTS HER ALIMONY

Mrs. Verity, However, Gets \$200 Counsel Fees in Divorce Action.

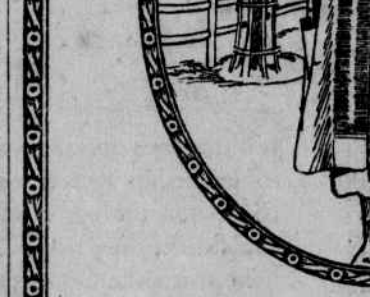
Because Mrs. Lillie B. Verity of Brightwaters, L. I., is charged by her husband, H. S. Verity, who resides in the Hotel Nassau, Long Beach, with having endeavored to injure him in his business and because she made no answer in her affidavits submitted in her suit for divorce against him, Justice Russell Benedict in the Supreme Court in Brooklyn yesterday decided she is entitled to no alimony pending the trial

of her action. He granted \$200 counsel fees.

Mrs. Verity is a member of the South Shore Country Club. She has two sons and a daughter by a previous marriage. Verity is an appraiser with an office in 30 Church street, Manhattan. They were married in Montreal July 29, 1909. Mrs. Verity charges her husband with improper conduct with Vietta Kay, "an illiterate woman, a coat room employee of the Hotel du Pont, Wilmington, Del." She asserts that in three years he has given her but \$150, while he has lavished money and jewels on the other woman.

Verity enters a general denial of his wife's charges and asserts she wrote letters to his friends and business associates that he was not to be trusted.

Mrs. Verity says her husband's income is \$10,000 a year. He says he is paid on commission and does not earn that amount. Verity says his wife visited him on one occasion in the Hotel Nassau and beat him with a walking cane.



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